

### **REMARKS**

Claims 1-18 were pending in the Application. Claim 1 is an independent claim and claims 2-5 and 16 depend therefrom. Claim 6 is an independent claim and claims 7-10 and 17 depend therefrom. Claim 11 is an independent claim and claims 12-15 and 18 depend therefrom. Claims 11-13 are currently amended. The Applicant respectfully requests that the application be reconsidered in view of the foregoing amendments and the following remarks.

#### **Rejections Under 35 U.S.C. §103(a) – Oh in view of Quatieri**

In point 1 on pages 2-5 of the final Office Action, independent claims 1, 6 and 11 and dependent claims 2-3, 7-8 and 12-13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Oh et al (U.S. Patent No. 5,781,696, hereinafter “Oh”), in view of Quatieri, “Discrete-Time Speech Signal Processing” Prentice Hall, 2002, pp. 595-597 (hereinafter “Quatieri”). The Applicant respectfully traverses the rejections for at least the following reasons.

Regarding claims 1 and 6, the Applicant respectfully submits that the combination of Oh and Quatieri fails to teach, suggest, or disclose, for example, “applying a window function to the remaining frames,” as set forth in Applicant’s independent claims 1 and 6. With regard to claim 11, the Applicant respectfully submits that the combination of Oh and Quatieri fails to teach, suggest, or disclose, for example, “the at least one controller configured to apply a window function to the remaining frames,” as set forth in Applicant’s amended, independent claim 11.

The final Office Action states that “Oh’s teachings include...applying a window function to the remaining frames (col. 5, line 65 through col. 6, line 2, applying a window function).” (Final Office Action, Page 2). However, the cited section of Oh only discloses applying a window function to the audio characteristics component. For example, Oh states that “[t]he **audio characteristic control unit of the pitch modulating unit 4** performs a signal modulation by applying a window function.” (Oh, Column 5, Line 66 through Column 6, Line 1). However,

as shown in Oh's FIG. 4 and described in Oh's Column 5, Lines 41-49, Oh only applies the window function on the audio characteristics component. Applicant's independent claims 1 and 6 recite "skipping frames...; applying a window function **to the remaining frames.**" Further, Applicant's independent claim 11 recites "the at least one controller configured to skip frames...; the at least one controller configured to apply a window function **to the remaining frames.**" Oh fails to disclose "applying a window function **to the remaining frames**" (i.e., the frames that were not skipped). Nowhere in Oh is there any disclosure regarding applying a window function to the speech source components not deleted by the speech source modulating unit of the pitch modulating unit 4. Thus, Oh fails to disclose "applying a window function to the remaining frames," as set forth in Applicant's independent claims 1 and 6. Further, for similar reasons as claims 1 and 6, Oh fails to disclose "the at least one controller configured to apply a window function to the remaining frames," as set forth in Applicant's amended, independent claim 11. Thus, the Applicant submits that claims 1, 6 and 11 are allowable over Oh and Quatieri, individually or in combination.

For at least the reasons set forth above, the Applicant respectfully asserts that claims 1, 6 and 11 are allowable over Oh in view of Quatieri. The Applicants request that the rejections of claims 1, 6 and 11 be withdrawn.

Because dependent claims 2-5 and 16, 7-10 and 17, and 12-15 and 18 depend, directly or indirectly, from independent claims 1, 6 and 11, respectively; and because claims 1, 6 and 11 are allowable over Oh in view of Quatieri, the Applicant asserts that rejections of dependent claims 2-3, 7-8 and 12-13 are now moot. The Applicant asserts that claims 2-5, 7-10 and 12-18 are also allowable over Oh in view of Quatieri and requests that the rejections of claims 1-3, 6-8 and 11-13 under 35 U.S.C. § 103(a), be withdrawn.

#### **Rejections Under 35 U.S.C. §103(a) – Oh, Quatieri and “Well Known Prior Art”**

In Point 2 on Pages 5-6 of the Office Action, claims 4-5, 9-10 and 14-15 were rejected

under 35 U.S.C. §103(a) as being unpatentable over Oh in view of Quatieri and further in view of “well known prior art.” The Applicant respectfully traverses the rejections for at least the following reasons.

Claims 4-5, 9-10 and 14-15 depends directly from claims 1, 6 and 11, respectively, and “well known prior art” fails to make up for the previously mentioned deficiencies of Oh and Quatieri. Thus, for at least the reasons stated previously with regard to claims 1, 6 and 11, the Applicant submits that claim 4-5, 9-10 and 14-15 are allowable over Oh, Quatieri and/or “well known prior art,” individually or in any combination.

### **Final Matters**

The Office Action makes various statements regarding former claims 1-18, 35 U.S.C. § 103(a), the Oh reference, the Quatieri reference, one skilled in the art, official notice, etc. that are now moot in view of the previously presented amendments and/or arguments. Thus, the Applicants will not address all of such statements at the present time. However, the Applicants expressly reserve the right to challenge such statements in the future should the need arise (e.g., if such statements should become relevant by appearing in a rejection of any current or future claim).

Applicant reserves the right to argue additional reasons supporting the allowability of claims 1-18 should the need arise in the future.

Appl. No. 10/803,420  
Resp. to final Office Action of Nov. 9, 2007  
Response dated April 3, 2008

### **CONCLUSION**

Applicant respectfully submits that claims 1-18 are in condition for allowance, and requests that the application be passed to issue.

Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the telephone number listed below.

Please charge any required fees not paid herewith or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Date: April 3, 2008

Respectfully submitted,

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